

NINTH DAY.

Senate Chamber,
Austin, Texas,
Monday, May 10, 1915.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answered to their names:

Bailey of DeWitt.	Lattimore.
Bailey of Harris.	McCollum.
Bee.	McGregor.
Brelsford.	McNealus.
Clark.	Nugent.
Conner.	Page.
Cowell.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harris.	Suiter.
Henderson.	Westbrook.
Johnson.	Wiley.

Absent.

Astin.	Harley.
Darwin.	

Absent—Excused.

Hudspeth.	Morrow.
King.	Townsend.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Nugent.

Excused.

On account important business:

Senator Morrow, for today and indefinitely, on motion of Senator Bailey of DeWitt.

Senator Hudspeth, for today and indefinitely, on motion of Senator Henderson.

Senate Concurrent Resolution No. 2.

(By unanimous consent.)

By Senator Westbrook:

S. C. R. No. 2. Whereas, war is deplorable even when justified by considerations of ultimate good to humanity and the eradication of evil from the world; and,

Whereas, however great the justification of war on the part of any belligerent nation, if indeed it have

justification, that nation can not conduct itself, at all times, in such a crisis as the impending European war without committing acts of, at least, seeming violence to the usages and practices of war as recognized by civilized nations as warranted and justifiable; and,

Whereas, the destruction of the Lusitania, flying the British flag, and the consequent loss of life of innocent passengers and the violence and outrage to those who survived, some being citizens of Texas, and of the freight steamer Gulflight, flying the flag of the United States, and the attending loss of life and property, and other tragedies of the seas, have shocked the civilized world and are humiliating in the extreme to our nation,

Therefore, be it resolved by the Senate of Texas, the House of Representatives concurring, that the Legislature of Texas withhold expression of judgment of the destruction of the Lusitania and the attending loss of life, and of other disasters involving the loss of life and property of citizens of the United States, until more of the facts connected with these distressing tragedies are known.

Be it further resolved, that the legislature of Texas express its confidence in the integrity and determination of the administration at Washington speedily to ascertain sufficient facts connected with the above mentioned ocean tragedies upon which to base the intelligent and patriotic course for this country to pursue with relation thereto, and that we have faith in the intelligent, determined and patriotic purpose and ability of President Wilson and his cabinet to make such investigation of those recent tragic events and to make such recommendations to Congress and the country as will secure our national honor and make our flag respected on land and sea.

Resolved, further, that the Secretary of State of the State of Texas be requested to transmit to the President and to Hon. W. J. Bryan, Secretary of State, certified copies of this resolution.

Senator McNealus offered the following substitute for the resolution:

Substitute for Concurrent Resolution No. 2. Whereas, in violation of all the recognized rules of warfare between civilized nations, the Ger-

man navy, through the agency of one of its submarine warships, did on Thursday, May 6, 1915, attack, without warning, the Trans-Atlantic steamship Lusitania, and, by the use of submarine torpedoes, blow up, destroy and sink the said Lusitania, causing the loss of life of many American citizens; and

Whereas, said act on the part of the German navy is unparalleled in modern times in the wantonness, the cruelty and the disregard of all civilized human promptings; therefore, be it

Resolved, That the Senate of Texas, the House of Representatives concurring, hereby expresses its horror at and condemnation of this savage act of war against helpless, inoffensive non-combatants, comprising men, women, and children, by the agencies of a nation heretofore regarded as one of the leaders in the world of science, education, culture, and civilization; and, be it further

Resolved, That, while expressing entire confidence in the capacity and patriotism of President Wilson and the National administration, we feel that in order to properly encourage President Wilson and the National administration in this great emergency of international relationship, it is the opinion of the Legislature of Texas it is now the duty of the United States Government to at once sever all diplomatic relations with the German Government and to employ such other measures as the situation, in its judgment, may justify, in maintaining the dignity and the honor of this Republic.

M'NEALUS.

Senator McGregor here asked unanimous consent to offer a simple resolution, relating to the same subject matter of the above concurrent resolution and substitute.

Senator Westbrook made the point of order that the simple resolution would not be in order until the concurrent resolution was disposed of.

Senator McGregor then withdrew the request for unanimous consent and moved that the above pending business be suspended for the purpose of permitting all Senators to submit such resolutions, bearing on this subject, as was desired to send up.

The motion was adopted.

Simple Resolution No. 15.

By Senator McGregor:

Whereas, The nations of Europe are involved in the bloodiest, cruelest and most disastrous war in the annals of time; and,

Whereas, Their respective interests of aggression and defense must of necessity at times touch the honor and threaten the peace of the United States; and,

Whereas, The Chief Executive of the United States, through these crises pregnant with the pride and peace of our people and constituting the most trying ordeals through which the President of a free people ever passed, has preserved the honor, peace and Christian spirit of our Government; therefore, be it

Resolved, That we do endorse the course of conduct which has characterized him in dealing with the war-torn nations of the earth and we pledge to him the sympathy, the prayers and the support of the people of Texas. Be it further

Resolved, That a copy of this resolution be transmitted by telegraph to the President of the United States by the President of the Texas Senate.

Senator Page offered the following:

Simple Resolution No. 15a:

Whereas, by reason of the recent torpedoing of American ships and the sinking of the Lusitania with the consequent untimely deaths of many American citizens, the President of the United States and the Nation as well, are face to face with a grave crisis which may, and doubtless will, seriously affect the future of our beloved country; and,

Whereas, We have the fullest confidence that our President will not meet this issue hastily but with deliberation, steadfastness, courage and a determination to see that the property rights of our citizens and the lives of our helpless women and children are not sacrificed to the ruthless ambitions and selfish purposes of any other country, whether British, French, Austrian or German; therefore, be it

Resolved, By the Senate of Texas, that we commend the course of President Wilson in wishing to obtain all of the facts before taking any action in the present international crisis, and that we hope, believe and ex-

pect that when the facts are ascertained and the responsibility for the deaths of our women and children is definitely fixed, that the President will take such action as will uphold the dignity and honor of our country and that he will hold to a "strict accountability" those found guilty of such inhuman practices; and, be it further

Resolved, That the President of the Senate be instructed to wire the President of the United States pledging him our loyal and undivided support in his efforts to uphold the dignity and honor of this great Republic, and that a copy of this resolution be mailed to the President, each member of his cabinet and to each member of Congress from Texas.

Senator Suiter offered the following:

Simple Resolution No. 15b:

Whereas, There has been perpetrated another of the dastardly crimes of war by the torpedoing and sinking of the Lusitania and the willful and wanton destruction of the lives of women, children and non-combatants, among whom were a great number of American citizens; and,

Whereas, Such deplorable and unjustifiable destruction of the lives of those innocent of any of the crimes of war may have a tendency to unduly excite the feelings of the citizens of our State and to thereby cause hasty and injudicious expression by both the public and the press; therefore, be it

Resolved, by the Senate of the State of Texas, That we again express our unbounded confidence in the wise and patriotic judgment of our great President, Woodrow Wilson, and his ability to continue to handle the delicate and perplexing problems growing out of the awful European war in such a manner as to save our American Government from engaging in this terrible conflict and to obtain a just settlement of all losses sustained by our citizens; be it further

Resolved, That it is the sense of this Senate that patriotism to our country demands that we speak with moderation of this great disaster and reserve our judgment until a full and complete report of the tragedy is made our Government; be it further

Resolved, That we, the members of this Senate, extend the sympathies of this great State and its entire citizenship to the bereaved who have suffered the loss of so many loved ones in this appalling disaster. Be it further

Resolved, That the Secretary of the Senate forward by wire to the President of the United States a copy of these resolutions.

SUITER,
SMITH.

Senator Lattimore moved that all the resolutions, including the concurrent resolution and substitute, be referred to a special committee, to be appointed by the President of the Senate; that the authors of the various resolutions be invited to appear before the committee in behalf of their respective resolutions; that no author of any one of the resolutions be appointed on the special committee, and that the committee be requested to make report to the Senate today.

Senator Clark moved the previous question on the motion, which being duly seconded, was so ordered.

The motion to refer was then adopted.

In accordance with the above motion, the Chair, Lieutenant Governor Hobby, announced the appointment of the following special committee: Senators Lattimore, Bee, Brelsford, Bailey of Harris, and Nugent.

Bills and Resolutions.

By Senators Suiter, Bailey of De Witt, Brelsford, Smith, Henderson, Darwin, Parr, Bee, Conner:

S. B. No. 13, A bill to be entitled "An Act establishing three State Normal Colleges; describing the territory within which each such normal shall be located; providing for the location of the same; providing the time in which said normal shall be located and constructed, and naming a locating committee and providing for the control of the same; making appropriation to pay the expenses of the locating committee; repealing all laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Committee on Education:

Morning call concluded.

Senate Bill No. 11.

(Pending Business.)

Action here recurred on the pending business, S. B. No. 11, making appropriation for repairs for the Capitol building, the question being on the motion to table the pending amendment.

The motion to table was adopted by the following vote:

Yeas—12.

Bailey of DeWitt.	McNealus.
Bailey of Harris.	Nugent.
Clark.	Parr.
Conner.	Robbins.
Hall.	Westbrook.
McGregor.	Wiley.

Nays—7.

Cowell.	Lattimore.
Gibson.	Page.
Harris.	Suiter.
Henderson.	

Absent.

Brelsford.	McCollum.
Darwin.	

Absent—Excused.

King.	Townsend.
Morrow.	

Pairs Recorded.

Senator Johnson (present), who would vote "nay"; Senator Hudspeth (absent), who would vote "yea."

Senator Bee (present), who would vote "yea;" Senator Astin (absent), who would vote "nay."

Senator Smith (present), who would vote "nay"; Senator Harley (absent), who would vote "yea."

The bill having already been read second time and passed to engrossment,

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 11 put on its third reading and final passage by the following vote:

Yeas—23.

Bailey of DeWitt.	Hall.
Bailey of Harris.	Harris.
Bee.	Henderson.
Brelsford.	Johnson.
Clark.	McCollum.
Conner.	McGregor.
Cowell.	McNealus.
Gibson.	Nugent.

Page.

Parr.
Robbins.
Smith.

Suiter.

Westbrook.
Wiley.

Nay—1.

Lattimore.

Absent.

Astin.
Darwin.

Harley.

Absent—Excused.

Hudspeth.
King.

Morrow.
Townsend.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—19.

Bailey of DeWitt.	McGregor.
Bailey of Harris.	McNealus.
Bee.	Nugent.
Brelsford.	Page.
Clark.	Parr.
Conner.	Robbins.
Hall.	Westbrook.
Harris.	Wiley.
McCollum.	

Nays—5.

Cowell.	Lattimore.
Gibson.	Suiter.
Henderson.	

Absent.

Astin.	Darwin.
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Absent—Excused.

King.	Townsend.
Morrow.	

Pairs Recorded.

Senator Johnson (present), who would vote "nay"; Senator Hudspeth (absent), who would vote "yea."

Senator Smith (present), who would vote "nay;" Senator Harley (absent), who would vote "yea."

Reasons for Voting.

I vote "nay" on S. B. No. 11 because I do not believe the present an opportune time to tax our people to spend \$415,000.00 in putting ventilators, new plumbing, heating, elevators, etc., in the Capitol building. I believe a reasonable sum for needed repairs better suited to present

financial conditions than this large sum. Other increased needs—imperative needs—will run the tax rate very high and I believe this bill should not pass.

LATTIMORE.

Senator Clark moved to reconsider the vote by which S. B. No. 11 was passed, and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 12.

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 12, A bill to be entitled "An Act to provide for the purchase of certain lands and improvements thereof in Washington county, Texas, the same being lands upon which there has been erected a monument commemorating the fact that at said point was located the first Capitol of Texas, etc., making an appropriation therefor, and declaring an emergency."

The committee report was adopted.

The bill was ordered engrossed, but the vote was reconsidered.

Senator Bailey of DeWitt offered the following amendment, which was read and adopted:

Amend the bill, by adding after Section 1, the words "provided no portion of this appropriation shall be available and no voucher issue therefor until the title to said land and deeds and conveyances therefor shall be examined by and be satisfactory to the Attorney General of this State."

The bill was read second time, and passed to engrossment.

On motion of Senator Page, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 12 put on its third reading and final passage by the following vote:

Yeas—22.

Bailey of DeWitt.	Henderson.
Bailey of Harris.	Johnson.
Bee.	Lattimore.
Brelsford.	McCollum.
Conner.	McNealus.
Cowell.	Nugent.
Gibson.	Page.
Hall.	Parr.
Harris.	Robbins.

Smith.	Westbrook.
Suiter.	Wiley.

Absent.

Astin.	Harley.
Clark.	McGregor.
Darwin.	

Absent—Excused.

Hudspeth.	Morrow.
King.	Townsend.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—21.

Bailey of DeWitt.	Lattimore.
Bailey of Harris.	McCollum.
Bee.	McNealus.
Brelsford.	Nugent.
Conner.	Page.
Cowell.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harris.	Westbrook.
Henderson.	Wiley.
Johnson.	

Nay—1.

Suiter.

Absent.

Astin.	Harley.
Clark.	McGregor.
Darwin.	

Absent—Excused.

Hudspeth.	Morrow.
King.	Townsend.

Senator Page moved to reconsider the vote by which S. B. No. 12 was passed, and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 5.

The Chair laid before the Senate, on second reading,

S. B. No. 5, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain eleemosynary institutions of the State, and other expenses of maintaining and conducting them, as follows, to wit: State Orphans' Home, Confederate Home, Confederate Woman's Home, Blind Institute, Deaf and Dumb Institute,

Epileptic Colony, Deaf, Dumb and Blind Institute for Colored Youths; State Institution for the Training of Juveniles, Tuberculosis Sanatorium at Carlsbad, State Lunatic Asylum, Southwestern Insane Asylum, and North Texas Hospital for the Insane; Training School for Girls, and State Hospital for Crippled Children, and declaring an emergency."

Senator Lattimore moved the bill lie on the table subject to call.

The motion was adopted.

Recess.

On motion of Senator Clark, the Senate, at 11:30 o'clock a. m., recessed until 11:50 o'clock, a. m., today.

After Recess.

The Senate was called to order by Lieutenant Governor Hobby.

Special Committee Report.

Senator Lattimore, on behalf of the special committee, offered the following report:

Austin, Texas, May 10, 1915.

To the President and Members of the Senate of the Thirty-fourth Legislature:

We, your special committee, to whom was referred Senate Concurrent Resolution No. 2, with substitute therefor, and Simple Resolutions Nos. 15a, 15b and 15c, beg leave to report back to the Senate the recommendation that none of said resolutions be adopted, but that in lieu thereof the Senate adopt the following:

Simple Resolution.

Whereas, The destruction of the Lusitania and the awful loss of life incident thereto, including many of our own citizens, has shocked the world and brought the United States face to face with the greatest crisis of the present European war; therefore, be it

Resolved, That the Senate of Texas reposes the utmost confidence in the wisdom, patriotism and firmness of the President of the United States and his cabinet, and assures the President of the sympathy of the

State of Texas in the present critical situation, and pledges its support to him in any course he sees fit to take in this emergency, to uphold the dignity and honor of the United States.

Resolved, That a copy of this resolution be wired by the Secretary of the Senate to the President at Washington.

Lattimore, chairman; Bee, Brelsford, Nugent, Bailey of Harris.

Senator Conner offered the following amendment to the resolution:

Amend the report, by inserting the following after the words "emergency:" "to protect the lives of citizens of the United States."

After discussion, Senator Clark moved the previous question on the report and the amendment, which motion was seconded, and was ordered.

The amendment was lost.

The report was unanimously adopted.

Simple Resolution No. 16.

By Senator Brelsford:

Whereas, Upon yesterday the Stork came to the home of Senator T. H. McGregor and left a sweet girl baby; and,

Whereas, It is reported that father and child are doing well; therefore, be it

Resolved, That the compliments and felicitations of the Senate be tendered to Mrs. McGregor and the Senator, and that we christen the little lady "Miss Texas."

The resolution was read and adopted.

Simple Resolution No. 17.

By Senator Westbrook:

Whereas, Hon. John Marshall, a former distinguished Speaker of the House of Representatives, is in the city; therefore, be it

Resolved, That he be invited to address the Senate at such time as will suit his convenience and on any subject he may desire, and that the privileges of the floor be extended to him.

The resolution was read and adopted.

The Chair appointed Senators Westbrook, Cowell, and Smith as a committee to notify Mr. Marshall of the courtesy extended him.

Adjournment.

On motion of Senator Clark, the Senate, at 1 o'clock, p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.**Committee Reports.**

Committee Room,
Austin, Texas, May 10, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 13, A bill to be entitled "An Act establishing three State Normal Colleges; describing the territory within which each such normal shall be located; providing for the location of the same; providing the time in which said normals shall be located and constructed, and naming a locating committee and providing for the control of the same; making appropriation to pay the expenses of the locating committee; repealing all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am requested to report same back to the Senate, with the recommendation that it do pass.

Bee, chairman; Gibson, Cowell, Johnson, Robbins, Smith, Bailey of Harris, McGregor.

Committee Room,
Austin, Texas, May 10, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 7, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain educational institutions and other expenses of maintaining and conducting them, as follows, to wit: University of Texas, Agricultural and Mechanical College, State Experimental Station, Prairie View Normal, College of Industrial Arts for Women, Sam Houston Normal Institute, North Texas State Normal, Southwest Texas Normal School, and West Texas Normal School, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate,

with the recommendation that it do not pass, but that the following committee substitute bill do pass in lieu thereof.

COWELL, Chairman.

Senator Cowell moved that the substitute bill be not printed in the Journal.

The motion was adopted.

Engrossing Committee Report.

Committee Room,
Austin, Texas, May 10, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have carefully compared Senate Bill No. 11, being an Act to make appropriations for repairs on and rearrangements of the State Capitol building, and find same correctly engrossed.

WESTBROOK, Chairman.

TENTH DAY.

Senate Chamber,
Austin, Texas,
Tuesday, May 11, 1915.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answered to their names:

Astin.	Lattimore.
Bailey of DeWitt.	McCollum.
Bailey of Harris.	McGregor.
Bee.	McNealus.
Brelsford.	Nugent.
Clark.	Page.
Conner.	Parr.
Cowell.	Robbins.
Gibson.	Smith.
Hall.	Switer.
Harris.	Westbrook.
Henderson.	Wiley.
Johnson.	

Absent.

Darwin. Harley.

Absent—Excused.

Hudspeth. Morrow.
King. Townsend.

Prayer by the Chaplain.